

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicant respectfully requests that the foregoing amendments be entered at least because they place the application in condition for allowance, and because they place the application in better form for appeal.

Claims 1, 8, 13, 19, 24 and 25 have been amended. No new matter has been added. Claims 1-4 and 6-29 remain pending in the application.

Rejections under 35 U.S.C. § 103

Claims 1-4, 6-27 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,892,181 to Megiddo et al. (hereafter “Megiddo”) in view of U.S. Patent No. 6,834,372 to Becker et al. (hereafter “Becker”). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Megiddo and Becker and further in view of U.S. Patent No. 6,658,463 to Dillon (hereafter “Dillon”). Applicant respectfully traverses these rejections for at least the following reasons.

Independent claim 1, as amended, recites “identifying, via an identifier on said display, a status of said image, said identifier being displayed on said display to display the status, said identifier being viewable only during a predetermined time criteria” and “wherein the step of identifying via an identifier on said display a status of said image comprises the step of embedding a link to said identifier.” The references cited in the rejections fail to suggest these features as recited in claim 1.

Megiddo discloses a system for improving the effectiveness of web advertising (title). The system recognizes pages that need to be refreshed and preserves their ads in a cache 404 in case the user wishes to see them later (col. 3, lines 46-48). A meta element may be used to identify an expiration date, which can be used by a cache to determine when to fetch a fresh copy of an associated document (col. 3, lines 13-19). A bookmark memory 206 may be temporarily stored for a predetermined period of time to enable a user to view ads that were previously saved (col. 3, lines 58-61).

Megiddo, however, fails to disclose either of the limitations of claim 1 of “identifying via an identifier on said display a status of said image, said identifier being displayed on said

display to display the status, said identifier being viewable only during a predetermined time criteria” or “wherein the step of identifying via an identifier on said display a status of said image comprises the step of embedding a link to said identifier.” Meggido does not disclose identifying via an identifier on a display a status of an image, where the identifier is displayed on the display to display the status, and where the identifier is viewable only during a predetermined time criteria. While Meggido discloses temporarily maintaining a bookmark memory for a period of time to enable a viewer to view previously saved ads, no identifier displaying the status of any images of the ads are displayed on the ad after the period of time. Further, while Meggido discloses that a meta element may be used to identify an expiration date of an ad, Meggido does not disclose that any expired ad is displayed along with its status as expired.

The Office Action states on page 16:

The Megiddo reference provides metadata which acts as an identifier for the image. Because the claim limitations are given their broadest reasonable interpretation within the scope of the art, if the metadata suggests an identifier [then] the status of said image could be found within the same metadata.

Applicants submit, however, that even if the metadata of Megiddo could be considered to be an identifier of status, Megiddo still does not have the features of claim 1, because the metadata is not displayed on a display to display the status.

Becker and Dillon were cited for other features of the claims but do not cure the deficiencies of Meggido.

Independent claims 8, 13, 19, 24 and 25 respectively recite “relating a time criteria to said image; and embedding a link to an identifier for identifying on said display a status of said image, displaying on the display said identifier to display the status, wherein said embedded link expires when said time criteria is satisfied”, “identifying via an identifier on said computer screen a status of said image, said identifier being displayed on the computer screen to display the status, said identifier being viewable only during a predetermined time criteria”, “relating a time criteria to said image; and embedding a link to an identifier for

identifying on said computer screen a status of said image, displaying on said computer screen said identifier to display the status, wherein said embedded link expires when said time criteria is satisfied”, “embedding a link to an identifier for identifying on said WebPage that said image is new, said embedded link automatically expiring after a pre-determined maximum time limit; and depicting on said WebPage said identifier to identify that said image is new”, and “means for relating a time criteria to said image; means for identifying on said WebPage a status of said image until said time criteria is satisfied, and means for displaying on said WebPage said means for identifying to display the status.” Thus independent claims 8, 13, 19, 24 and 25 are patentable over Meggido, Becker and Dillon for reasons analogous to claim 1.

The dependent claims are patentable for at least the same reasons as their respective independent claims as well as for further patentable features recited therein. For example, dependent claim 2 recites “wherein a status comprises one of a new image, an altered image, and a current image.” With respect to claim 2 the Office Action refers to FIGs. 3a and 3b of Meggido. FIG 3a merely discloses that ads are displayed in windows according to whether they are old ads or new ads. Presuming arguendo that the old ad and new ad boxes include respective status labels of “new ad” and “old ad” (which is not disclosed in Meggido), however, Meggido does not suggest that any identifier identifying the ad status is viewable only during a predetermined time criteria. As noted above, the metadata of Meggido is not displayed to display the status. The listing of the ads in the new and old ad boxes does not depend upon any identifier being viewable only during a predetermined time criteria.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to

Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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